REMARKS

This Amendment is filed in response to the Final Office Action mailed Nov. 2, 2006 The Applicant respectfully requests reconsideration of the rejections contained therein. All objections and rejections in the case are respectfully traversed.

Claims 54-73 are now pending in the case.

Claim 66 is indicated to be allowable if rewritten in independent form. While the Applicant has not done so at this time, they reserve the right to do so at a later point in the prosecution of this case.

Claim 68 was amended to correct a typographical error.

No claims have been added.

At paragraphs 4-9 of the Final Office Action, claims 57-64 were rejected under 35 U.S.C. §103(a) over Zellner et al., U.S. Patent Publication No. 20040088345 (herinafter Zellner), in view of Bare et al., U.S. Patent No. 6,654,382 (hereinafter Bare), in further view of Preston et al., U.S. Patent No. 6,236,652 (hereinafter Preston).

The Applicant's claim 54, representative in part of the other rejected claims, sets forth:

> 1. A method for discovering and maintaining geographic location infor-
> mation for network devices, the method comprising the steps of:
>   interconnecting a first network device to a particular port of an in-
> termediate network device, the first network device including a location
> generator configured to determine physical coordinates corresponding to
> the location of the first network device;
>   transmitting, by the first network device, a message including the
> physical coordinates of the first network device to the intermediate net-
> work device, the intermediate network device *receiving the messages on a
> particular port*;
>   *storing the physical coordinates at a memory location* of the in-
> termediate network device, *the memory location associated with the par-
> ticular port*;

subsequent to the step of transmitting, disconnecting the first network device from the particular port and interconnecting a second network device to the particular port, the second network device located at substantially the same location as previously occupied by the first network device; and

determining the physical location of the second network device by accessing the memory location associated with the particular port.

Zellner discloses an IP device (*see* Fig. 4, 26) that may place an emergency call. The IP device includes a "location identifier" (see Fig. 6, 59) with a GPS receiver (Fig. 6, 60). *See* paragraph 0064, 0060. The location generated by the GPS receiver may be included in the emergency call. *See* paragraph 0064, 0076. The emergency call is received by a Support Service Provider (SSP) organization (Fig. 8, 18). The SSP may forward the message to an Emergency Service Center (ESC) organization, or may respond themselves with their own assistance personnel. *See* paragraph 0074. The SSP organization maintains a database of subscribers, storing "relevant information about them, e.g. known medical conditions, an emergency contact address, a home address, etc." *See* paragraph 0074. This info may be included in messages sent from the SSP to the ESC. *See* paragraph 0082.

Bare discloses a technique to program a logical address, such as an IP address, into a hub. *See* col. 3, lines 45-51 and col. 2, lines 37-38. A network administrator connects a laptop to (Fig. 1, 20) to a port (P1) of a hub (12). *See* col. 5, lines 41-47 "[A]ny device previously coupled to port P1 is decoupled" so the laptop may be connected. *See* col. 5, lines 41-47. A "learn mode" of the hub is activated and a series of messages exchanged between the laptop and the hub (detailed in Fig. 3) to program a memory (Fig. 2, 36) of the hub with the logical address. *See* col. 5, lines 61-col. 6, line 38. After this is done, the hub is "network manageable" and the laptop may be disconnected. *See* col. 6, lines 39-44.

Preston describes a technique where each end user device assigns itself an IP address based upon its global position, rather than be assigned an IP by a server, for example by DHCP. *See* col. 5, lines 34-36, col. 5, lines 59-63.

8

The Applicant respectfully urges that Zellner, Bare, and Preston are all silent concerning the Applicant's claimed *"receiving the messages on a particular port"* and *"storing the physical coordinates at a memory location… associated with the particular port"* and *"determining the physical location of the second network device by accessing the memory location associated with the particular port."*

First, none of the references suggest looking to ports us as a basis for storing and accessing physical location data. Specifically the Applicant claims *"receiving the messages on a particular port"*, *"storing the physical coordinates at a memory location… associated with the particular port"* and later *"determining the physical location… by accessing the memory location associated with the particular port."* The reference place little importance on which port a device connects to. For example, Zellner makes no mention of ports at Zellner's SSP, much less of storing a physical coordinates in association with a particular port. Rather than look to port connections, Zellner maintains a "database of subscribers," based on information such as a customer's name and address. *See* Zellner paragraph 0074. Similarly, Bare does not look to ports in the manner claimed by the Applicant. While Bare discusses connecting a laptop to a port of a hub to program a logical address into the hub, Bare does not care which particular port is used. *See* Bare col. 4, line 28. Bare does not store its logical address in a memory associated with a particular port. Bare instead programs the logical address into a main memory (Fig. 2, 36) of the hub, unaffiliated with any particular port. Finally, Preston, does not even mention ports.

Second, none of the references suggest *determining the physical location of a second network device by accessing the memory location associated with the particular port.* Zellner uses a GPS receiver to determine the location of its IP device, not of any second devices. Bare uses a laptop to program data, i.e. a logical address, into a hub. Contrary to the assertion in the Final Office Action, the data (logical address) is not assigned later by the hub to some second device. Col. 6, lines 1-39 of Bare cited to in the Final Office Action simply describes the steps taken between the laptop and the hub to program the logical address into the hub. Col. 6, lines 39-44 of Bare simply describe that

a second device that desires to learn the logical address **of the hub,** may send a request packet to the hub.   The logical address **of the hub,** is not the same as the logical address of the second device.   Finally, Preston makes no mention of this feature, dealing instead with a scheme where end user device assigns themselves their own an IP address.

Accordingly, the Applicant respectfully urges that the combination of Zellner, Bare, and Preston is legally insufficient to make obvious the present claims under 35 U.S.C. §103 because of the absence of the Applicant's claimed novel *"receiving the messages on a particular port"* and *"storing the physical coordinates at a memory location... associated with the particular port"* and *"determining the physical location of the second network device by accessing the memory location associated with the particular port."*

At paragraph 10 of the Final Office Action, claim 65 was rejected under 35 U.S.C. §103(a) over Bare in view of Preston.

The Applicant's claim 65, sets forth:

65. An intermediate network device configured to maintain geographic location information for network devices, comprising:

a geographical location recording/reporting entity configured to communicate with a first network device coupled to a particular port of the intermediate network device, and configured to receive from the first network device *physical coordinates corresponding to the location of the first network device*;

a non-volatile memory configured to store the physical coordinates in one or more memory locations associated with the particular port, the physical coordinates thereby associated with the particular port; and

the geographical location recording/reporting entity is further configured to, in response to receiving a request from a second network device coupled to the particular port, assume the second network device is located at substantially the same location as the first network device, *and transmit the physical coordinates to the second network device.*

The Applicant respectfully urges that Bare and Preston are silent concerning the Applicant's claimed *"a non-volatile memory configured to store the physical coordinates in one or more memory locations associated with the particular port, the physical coordinates thereby associated with the particular port"* and to *"transmit the physical coordinates to the second network device"* where the physical coordinates are *"physical coordinates corresponding to the location of the first network device."*

First, as describe above, neither Bare nor Preston suggest storing physical coordinates in locations associated with a particular port, *the physical coordinates thereby associated with the particular port.* Accordingly, the Examiner is respectfully referred to the above discussion.

Second, neither Bare nor Preston suggest to *"transmit the physical coordinates to the second network device"* where the physical coordinates are *"physical coordinates corresponding to the location of the first network device."* While Bare's hub may send its own logical address to other devices, there is no discussion of the hub sending the logical address the laptop (first device) to another device. Thus, Bare operates quite differently than what is claimed. Similarly, Preston discusses devices that assign themselves IP addresses based on their own physical coordinates, not those of another device.

Accordingly, the Applicant respectfully urges that the combination of Bare and Preston is legally insufficient to make obvious the present claims under 35 U.S.C. §103 because of the absence of the Applicant's claimed novel *"a non-volatile memory configured to store the physical coordinates in one or more memory locations associated with the particular port, the physical coordinates thereby associated with the particular port"* and to *"transmit the physical coordinates to the second network device"* where the physical coordinates are *"physical coordinates corresponding to the location of the first network device."*

At paragraph 11 of the Final Office Action, claim 67 was rejected under 35 U.S.C. §103(a) over Bare in view of Preston, in further view of Zellner.

The Applicant notes claim 67 is a dependent claim that depends from an independent claim believed to be allowable. Accordingly, claim 67 is also believed to be allowable.

At paragraph 12 of the Final Office Action, claims 68-73 was rejected under 35 U.S.C. §103(a) over Bare in view of Preston, in further view of Zellner.

The Applicant's claim 68, representative in part of the other rejected claims, sets forth:

68. A method for discovering and using the geographic location information with a Voice over Internet Protocol (VoIP) telephone, the method comprising the steps of:

interconnecting the VoIP telephone to a particular port of a network switch, *the particular port associated with a memory entry in a memory of the network switch, the memory entry storing predetermined physical coordinates for use with any network device interconnected to the particular port*;

receiving the physical coordinates at the VoIP telephone from the intermediate network device; and

appending, by the VoIP telephone, the physical coordinates to at least one call message transmitted by the VoIP telephone.

The Applicant respectfully urges that Bare, Preston, and Zellner are all silent concerning the Applicant's claimed "*the particular port associated with a memory entry in a memory of the network switch, the memory entry storing predetermined physical coordinates for use with any network device interconnected to the particular port.*"

As describe above, neither Bare, Preston, nor Zellner suggest storing physical coordinates in memory entries associated with a particular port, *the memory entry storing predetermined physical coordinates for use with any network device interconnected to*

the particular port. Accordingly, the Examiner is respectfully referred to the above discussion.

The Applicant respectfully urges that the combination Bare, Preston, and Zellner is legally insufficient to make obvious the present claims under 35 U.S.C. §103 because of the absence of the Applicant's claimed novel *"the particular port associated with a memory entry in a memory of the network switch, the memory entry storing predetermined physical coordinates for use with any network device interconnected to the particular port."*

In the event that the Examiner deems personal contact desirable in disposition of this case, the Examiner is encouraged to call the undersigned attorney at (617) 951-2500.
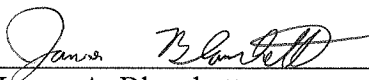
All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims.

The Applicant respectfully solicits favorable action.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

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